



JCO1 Rec'd PCT/PTO 08 AUG 2005

Dkt. #1014-PCT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : BIANCHI, et al.
U.S. Serial No.: 10/519,427
Filed : December 22, 2004
For : USE OF HMGB1 IN THE TREATMENT OF TISSUE
DAMAGE AND/OR TO PROMOTE TISSUE REPAIR

Law Offices of Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357

August 4, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

**COMMUNICATION IN RESPONSE TO JUNE 10, 2005 NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

A Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Notification) was issued on June 10, 2005 by the United States Patent and Trademark Office (USPTO) with regard to the above-identified application. A copy of the Notification is attached hereto as **Exhibit A**.

The Notification states that the oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), "must be submitted within two (2) months from the date of this notice or by 32 months from the priority date for the application, whichever is later," i.e., August 10, 2005. Accordingly, this Communication is being timely filed.

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Prior to issuance of the Notification, Applicants had already submitted an oath of the inventors, in compliance with 37 CFR 1.497(a) and (b), to the USPTO via first class mail on May 20, 2005. Further to our telephone communication on August 3, 2004 with Francine Young of the USPTO, who prepared the Notification, our office was informed that at the time the Notification was being prepared, the oath, which was submitted by Applicants on May 20, 2005 and received by the USPTO on May 31, 2005, had not yet been matched with the above-identified application. As a result, the Notification was issued on June 10, 2005.

Although the requested oath has already been submitted on May 20, 2005, it is our understanding that a separate communication will not be issued by the USPTO, withdrawing the Notification. Accordingly, in the interest of filing a proper response to the Notification, Applicants hereby submit a copy of the May 20, 2005 Communication with the corresponding oath of the inventors. A copy of the Communication is attached hereto as **Exhibit B**.

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Filed : December 22, 2004
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If a telephone interview would be of assistance in advancing the prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai Kit Chan

I hereby certify that this paper is being deposited this date with the U.S. Postal Service with sufficient postage for first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Albert Wai Kit Chan

8/8/05

Albert Wai-Kit Chan
Reg. No. 36,479

Date

Albert Wai-Kit Chan
Registration No. 36,479
Attorney for Applicant(s)
Law Offices of
Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, New York 11357
Tel: (718) 799-1000
Fax: (718) 357-8615
E-mail: chank@kitchanlaw.com



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,427	Marco Emilio BIANCHI	1014-PCT-US

INTERNATIONAL APPLICATION NO.

PCT/IT03/00265

I.A. FILING DATE

04/29/2003

PRIORITY DATE

07/03/2002

Albert Wai-Kit Chan
 Law Offices of Albert Wai-Kit Chan
 World Plaza Suite 604
 141-07 20th Avenue
 Whitestone, NY 11357

CONFIRMATION NO. 6913

371 FORMALITIES LETTER



OC000000016245562

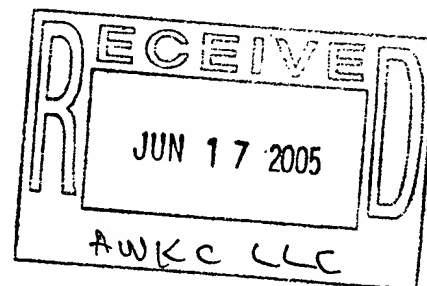
Date Mailed: 06/10/2005

*✓ paper
✓ elec*
 8/10/05 - R to Notif. (2mo, w/o fee)
 12/10/05 - " (6 mo, w/fee) abs. dead.

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/22/2004
- Copy of the International Search Report filed on 12/22/2004
- Preliminary Amendments filed on 12/22/2004
- Information Disclosure Statements filed on 12/22/2004
- U.S. Basic National Fees filed on 12/22/2004
- Priority Documents filed on 12/22/2004



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,427	PCT/IT03/00265	1014-PCT-US

FORM PCT/DO/EO/905 (371 Formalities Notice)

Chen, LLC

NY 11357

(8) 357-8615

BEST AVAILABLE COPY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



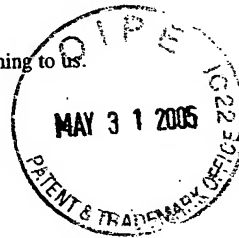
Applicants: BIANCHI, et al.
Client: De Simone & Partners (405) *
Date: May 20, 2005

File No.: 1014-PCT-US

Kindly acknowledge receipt of the accompanying

COMMUNICATION TO SUBMIT ORIGINAL DECLARATION & POWER OF ATTORNEY for BIANCHI, et al.; **USE OF HMGB1 IN THE TREATMENT OF TISSUE DAMAGE AND/OR TO PROMOTE TISSUE REPAIR**, U.S. Serial No. 10/519,427, Filed December 22, 2004, corresponding to International Application No. PCT/IT2003/000265, filed April 29, 2003, which claims priority of U.S. Serial No. 60/393,994, filed July 3, 2002, including a check in the amount of ONE HUNDRED AND THIRTY DOLLARS (\$130.00) and **Exhibit 1** (4 pages).

by placing your receiving date stamp hereon and returning to us.



LAW OFFICES OF ALBERT
WAI KEE CHAN, LLC
WORLD PLAZA, SUITE 604 PH 718-357-8836
141-07 20TH AVENUE
WHITESTONE, NY 11357

2738

1-108/210

DATE 5/18/25

PAY TO THE ORDER OF Assistant Commissioner for Patent

\$ 130.00

One hundred thirty Only

DOLLARS

HSBC

HSBC Bank USA Flushing NY 11367

FOR Dkt # 1014-PC7-US

Albert Wai Kee Chan

⑈002738⑈ ⑆021001088⑆ 010779361⑈

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World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357

May 20, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

COMMUNICATION TO SUBMIT ORIGINAL DECLARATION & POWER OF ATTORNEY

This Communication is being filed, pursuant to 37 C.F.R. 1.497(a), to submit the original Declaration & Power of Attorney, duly executed by the inventors of the above-identified application. A copy of the original Declaration & Power of Attorney is attached hereto as **Exhibit 1** (4 pages). 37 CFR 1.492(e) states that a surcharge is required for the filing of the oath or declaration later than 30 months from the earliest claimed priority date. Applicants' earliest claimed priority date is July 3, 2002, with the 30-month period expiring on January 3, 2005. Accordingly, Applicants hereby enclose a check in the amount of ONE HUNDRED AND THIRTY DOLLARS (\$130.00) to cover the above-mentioned surcharge.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, Applicants' undersigned

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attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the ONE HUNDRED AND THIRTY DOLLARS (\$130.00), is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891. Conversely, authorization is also hereby given to credit the amount of any overpayment to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai Kit Chan

Albert Wai-Kit Chan
Registration No. 36,479
Attorney for Applicants
Law Offices of
Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, New York 11357
Tel: (718) 357-8836
Fax: (718) 357-8615
E-mail: kitchanlaw@aol.com

I hereby certify that this paper is being deposited this date with the U.S. Postal Service with sufficient postage for first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Albert Wai Kit Chan 5/20/05
Albert Wai-Kit Chan Date
Reg. No. 36,479